

FILED

JUN 19 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CURTIS YARBROUGH,

Defendant - Appellant.

No. 05-50580

D.C. No. CR-05-00044-FMC

MEMORANDUM^{*}

Appeal from the United States District Court
for the Central District of California
Florence Marie Cooper, District Judge, Presiding

Submitted June 12, 2006^{**}

Before: FERNANDEZ, KLEINFELD, and BERZON, Circuit Judges.

Curtis Yarbrough appeals from the district court's imposition of a condition of supervised release after a guilty-plea conviction for three counts of bank

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

robbery and two counts of attempted bank robbery, all in violation of 18 U.S.C. § 2113(a). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Yarbrough contends that the district court's imposition of a condition of supervised release that requires him to pay all or part of the costs of his drug and psychiatric treatment is an improper delegation of the court's exclusive authority under 18 U.S.C. § 3672 to the probation officer. This contention is foreclosed by our holding in *United States v. Dupas*, 419 F.3d 916, 922-24 (9th Cir. 2005).

AFFIRMED.